

Warsaw, 18 July 2017

Employer organizations and trade unions in Poland jointly criticize the new Supreme Court bill draft.

The Supreme Court bill drafted by the MPs is yet another legal act of key importance for the operation of the judiciary in Poland. Being an MPs' draft, it is proceeded without any public consultations, which may result in poor quality of the law established.

The same mode was used by the ruling party to introduce changes in various areas of political system and economic regulations. The resignation from the government path, which is natural for general changes of the political system, deprives citizens, legal circles and entrepreneurs of any consultation opportunity, and, consequently, affects the operation of the separation of powers, which is necessary in democracy. It also breaches the value of social dialogue, as the Social Dialogue Council (of which Polish Confederation Lewiatan is a member) does not have the right to provide its opinion on MPs' bills. Disregarding social dialogue does not build trust and social capital, which Poland needs in order to develop.

The manner in which changes are introduced in the Polish judiciary certainly does not contribute to Poland's image in the eyes of the existing and future investors. The stability and predictability of the legal system are crucial for entrepreneurs' investment decisions. It applies both to the stage of the company's registration, pursuit of claims and their enforcement. It is also a



precondition for citizens' trust in the state and the law governing employer-employee relations, including in the context of potential disputes regarding employment issues. What also does not raise trust of the social side is the possible direct political influence on the judiciary at all levels. An improvement in the operation of the judiciary is important and necessary, but must respect the Constitution and comply with legislative norms. The reform must not focus on personal issues, as what is needed are genuine changes in the mechanisms and tools which regulate the judiciary's operation.

Being members of the Social Dialogue Council, employer organisations and trade unions, we would like to have a say in issues of such importance for the whole system.

Polish Confederation Lewiatan

Employers of Republic of Poland

Business Centre Club Employers Association

Polish Craft Association

Trade Union Forum

All-Poland Alliance of Trade Unions (OPZZ)

